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RESOLUTION NO. 2022-12

A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD APPROVING THE MASON TRANSIT AUTHORITY SICK LEAVE POLICY (POL-310) AND SUPERSEDING AND REPLACING IN FULL ANY PREVIOUSLY ADOPTED OR APPROVED MASON TRANSIT AUTHORITY SICK LEAVE POLICY, INCLUDING RESCINDING RESOLUTION NO. 2020-04.

WHEREAS, the Mason Transit Authority Sick Leave Policy (POL-310) was last approved by the Mason Transit Authority Board in 2020; and

WHEREAS, the policy has been updated so that it aligns with the same provisions as in the Employee Handbook relating to an employee's cash-out rate;

NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT AUTHORITY BOARD that the revised Mason Transit Authority Sick Leave Policy (POL-310) shall supersede and replace in full any previously adopted or approved Mason Transit Authority Sick Leave Policy, including rescinding Resolution No. 2020-04.

Adopted this 20th day of September, 2022.

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Sandy Tarzwell
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Sandy Tarzwell, Chair

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APPROVED AS TO CONTENT: DocuSigned by: Amy Asher
Amy Asher, General Manager

APPROVED AS TO FORM: DocuSigned by: Robert Johnson
Robert W. Johnson, Legal Counsel

ATTEST: DocuSigned by: Tracy Becht DATE: 10/10/2022
Tracy Becht, Clerk of the Board

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Title:	Mason Transit Authority Sick Leave Policy
Number:	310
Effective:	September 20, 2022
Cancels:	Resolution No. 2020-04
Prepared by:	LeeAnn McNulty, Administrative Services Manager
Approved by:	Authority Board Resolution No. 2022-12

POL-310 MASON TRANSIT AUTHORITY SICK LEAVE POLICY

This policy applies to all Mason Transit Authority (MTA) regular full-time employees.

1.0 Purpose

1.1 In addition to the Washington Paid Sick Leave Policy, Mason Transit Authority Sick Leave (MTASL) is available for all regular full-time employees to use for qualifying reasons per this policy.

1.2 This policy details the use of MTASL for excused/unexcused absences.

2.0 Policy

2.1 Qualifying Reasons to Use MTA Sick Leave

MTASL may be used for the following reasons:

- An employee's mental or physical illness, injury, health condition, and/or preventive care, diagnosis, or treatment, such as a medical, dental, or optical appointment;
- Care of a family member with a mental or physical illness, injury, health condition and/or preventive care, diagnosis, or treatment, such as a medical, dental, or optical appointment;
- To make up the difference between the amounts received from L & I time-loss benefits and the employee's regular pay when an employee is receiving L & I benefits;
- Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons; or
- To address issues related to domestic violence, sexual assault, or stalking when the employee or the employee's family member is a victim. Qualifying activities include seeking legal or law enforcement assistance or court relief, counseling or treatment by a health care provider, and obtaining support services (e.g., shelter, crisis outreach, safety planning, relocation assistance).

2.2 Accrual of MTA Sick Leave

Regular full-time employees accrue MTASL at the rate of 1.69 hours per pay period for full-time employees. For example, 1.69 hours per pay period x 26 pay periods = 44 (rounded) hours MTASL per year in addition to the 52 hours accrued (assuming no overtime worked) under the Washington Paid Sick Leave Policy, as

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required by law, for a total of 96 hours per year. MTASL balance will not exceed 960 hours. Hours above 960 will be forfeited.

The leave accrual period is January 1st through December 31st.

All eligible employees begin accruing MTASL at the commencement of employment.

At the start of employment, all eligible employees will receive information about the MTASL Policy.

2.3 Eligibility to Use Accrued MTA Sick Leave

Regular, full-time employees are eligible to use accrued MTASL upon commencement of their employment.

MTASL accrued during a pay period may not be used until the following pay period.

2.4 Reasonable Notice for the Use of MTA Sick Leave

Employees must provide reasonable notice, as described below, to his or her team manager regarding use of MTASL whenever possible, along with a Paylocity Time-Off Request. If no advance notice is possible, then the request must be submitted on the day following the employee's return to work. If possible, the request should include the expected return date. Information provided will be kept confidential.

Foreseeable Absences. If the absence is foreseeable, the employee must notify his or her team manager at least 10 days, or as early as possible, before the first day MTASL will be used.

Unforeseeable Absences. If the absence is unforeseeable, the employee must notify his or her team manager as soon as possible.

- If advance notice is possible, the employee must provide such notice no later than one (1) hour before the employee's scheduled start time.
- If advance notice is not possible, the employee or a person on the employee's behalf, must provide such notice, as soon as possible.
- Calling out no later than one (1) hour before does not mean the absence is excused. See sections 2.10 and 2.11.

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2.5 Verification for Absences

The employee may be required to provide verification for using MTASL for a qualifying reason, or upon reasonable suspicion of sick leave abuse (e.g., Pattern Absence, i.e. calling out after vacation was denied), as provided below. If verification is requested, the employee must submit a completed verification form to team manager or supervisor upon returning to duty. Duration of the absence must be outlined in the verification.

Consecutive days/hours of absence attributable to a single illness will be considered one occurrence. Non-consecutive occurrences for the same medical reason may be combined if the subsequent unscheduled absence is within five (5) days of the last day of the original unscheduled absence.

An employee may choose to provide verification on their own accord to verify reason for absence. If the verification supports a qualifying reason as described in 2.1, the employee will be considered excused.

For the employee's own health care or the care for a family member. A health care provider's signed statement that establishes or confirms that the use of MTASL is for an authorized purpose. The verification provides information about the nature of the illness, injury, or disability, and the beginning and end dates.

To make up the difference between the amounts between L & I time-loss benefits and an employee's regular pay. Documentation to show the value of time-loss payments received during the relevant time period.

Closure of the employee's place of business or child's school/place of care. Documentation of the notice of closure by a public official that the employee received regarding the employee's child's school or place of care.

To address issues related to domestic violence, sexual assault, or stalking. Documentation may include a police report, court record, prosecuting attorney's office record, or a signed note from a health care provider, social worker, counselor sufficient to show that the employee or an employee's family member is a victim of domestic violence, sexual assault, or stalking and the leave was taken to address related issues. Other documentation may be acceptable, as determined by the Administrative Services Manager or designee.

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2.6 Increments of Use for MTA Sick Leave

Employees are allowed to use MTASL in increments of .25 hour.

2.7 Payroll

Employees will be notified of their MTASL accrued, usage, and current balances for each pay period on a direct deposit statement and/or Paylocity's Time-Off section of the Self-Service Portal.

2.8 Rate of Pay When Using MTA Sick Leave

Sick leave hours will be compensated at an employee's regular rate of pay, excluding overtime rates, where applicable. Sick leave hours will not count toward the calculation of overtime.

2.9 Separation from Employment

Employees who have accrued at least four hundred eighty (480) hours of MTASL as of December 1 of each year may elect to exchange any number of hours so long as the balance remains at or above four hundred eighty (480), for a fractional payout on the following pay period at an exchange of one hour's pay per two hours accrued leave (1:2).

Upon separation of employment or retirement, under non-disciplinary circumstances and with at least five (5) years of employment with MTA, the employee shall be paid for all accumulated MTA sick leave up to nine hundred sixty (960) hours at the following rates of pay per accrued hours:

Accrued Sick Leave	Cash Out Rate
0 – 480 hours	1:3 hours
481 – 960 hours	1:2 hours

2.10 Excused Absences

Absences are excused when a Time-Off Request is submitted and approved in advance by the team manager or supervisor for a qualifying reason to use MTASL as listed in Section 2.1. An Excused Absence also includes an absence that has been satisfactorily verified by a method described in Section 2.5 upon return to work by the employee.

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2.11 Unexcused Absences

Unexcused absences will be reviewed by a manager or supervisor. Employee verification may be required, per Section 2.5 if it has not been submitted by the employee. If it is determined corrective action is needed, the corrective action will be consistent with the Performance Counseling Policy.

An absence will be considered unexcused if not pre-approved at least 24 hours prior to the start of the shift.

24 hours of unexcused qualifying sick leave absences **in a rolling twelve-month period** will be the basis for a coaching discussion between the employee and the manager/supervisor with additional unexcused absences potentially leading to further progressive discipline through MTA's Performance Counseling Policy.

32 hours of unexcused qualifying sick leave absences **in a rolling twelve-month period** will be the basis for initiating progressive discipline with a verbal warning through MTA's Performance Counseling Policy.

# of Unexcused Hours	Consequence
24 Unexcused Hours	Coaching Discussion
32 Unexcused Hours	Verbal Warning
40 Unexcused Hours	Written Warning
48 Unexcused Hours	2 Days Suspension Without Pay
56 Unexcused Hours	Review of Termination with General Manager

2.12 No-Call / No-Show

Not reporting to work and not calling to report the absence is considered a no-call / no-show and is a serious matter. Upon notification from the team manager, a no-call / no show will be reviewed by the Administrative Services Manager and/or General Manager to determine appropriate discipline, up to and including termination. **Any no-call / no-show for three or more days constitutes job abandonment and will result in immediate termination of employment.**

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If the discipline process for attendance has already begun with an employee when a no-call / no-show occurs, the disciplinary process may be accelerated up to and including termination.

Management may consider extenuating circumstances when determining discipline for a no-call / no-show and may exercise discretion in such case (for example, if the employee is in a serious accident and is hospitalized).

2.13 Use of Vacation Leave for Sick

Accrued vacation leave may only be used to cover a qualifying sick leave absence when the event is pre-arranged and there is capacity to accommodate based on CBA language, seniority and/or department needs. Per each collective bargaining agreement and the employee handbook, the use of vacation leave must be approved in advance.

2.14 Leave without pay (LWOP) for Sick

In cases where no sick leave is available, the use of vacation leave has not been pre-arranged or there is no vacation leave available, the employee will be in a LWOP situation. Unexcused LWOP absences do count toward unexcused hours and may be subject to progressive discipline.

3.0 Definitions

- “Family member” is defined as a child (including biological, adopted, foster, step, in loco parentis, or legal guardian) or parent (including biological, adopted, foster, step, de facto, or legal guardian) to the employee or the employee’s spouse/registered domestic partner, a spouse, registered domestic partner, grandparent, grandchild, or sibling.

- "Health-related reason" means a serious public health concern that could result in bodily injury or exposure to an infectious agent, biological toxin, or hazardous material. Health-related reason does not include closures for inclement weather.

- "Commencement of employment" means no later than the beginning of the first day on which the employee is authorized or required by the employer to be on duty on the employer's premises or at a prescribed workplace.

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- "Excused absence" is defined as a Time Off Request submitted in advance and approved by the Manager/Supervisor.

- "Unexcused absence" is defined as a call out or no-show on a scheduled workday without an approved Time-off Request.

  "Pattern Absence" is defined as an absence that shows a pattern such as but not exclusive to unexcused absences the day before or after a scheduled holiday, vacation, or personal day; on a desirable day off, a specific day of the week, or a weekend; a specific or unique work day; or as sick leave is accrued.

  "LWOP" is defined as an absence where there is no available vacation, sick or personal hours to cover an absence.